

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

PUBLIC SERVICES – Prohibition & Excise Department – Sri P. Nageswara Rao
Assistant Commissioner of Prohibition and Excise- promotion to the category of
Deputy Commissioner of Prohibition and Excise – Orders – Issued.

REVENUE (EX.I) DEPARTMENT

G.O.Rt.No. 966	Dated:12-07-2010
-----------------------	-------------------------

Read the following:

- 1) G.O.Ms. No. 116 Revenue (Ex-I) Dept. dt.04-02-2008.
- 2) Orders of Hon'ble APAT in OA. No. 4339/2009, with VMA No. 1272/2009 & MA. No. 434/2010, Dt: 23-02-2010.
- 3) Representation of Sri P.Nageswara Rao ACPE,dated: 19-04-2010 and 09-05-2010.

* * *

ORDER:

In the reference 3rd read above Sri P.Nageswra Rao, Assistant Commissioner of Prohibition and Excise has submitted a representation stating that the DPC which met on 29-01-2008 has recommended for inclusion of his name in the panel of Assistant Commissioner of Prohibition and Excise fit for promotion to the category of Deputy Commissioner of Prohibition and Excise for the panel year 2007-08. Inspite of the recommendation of the DPC the Government have deferred his name for inclusion in the panel while giving promotions to all other officers who are placed in similar situation.

2. Aggrieved by the orders he has approached the Hon'ble APAT for redressal of his grievance and Hon'ble APAT has issued orders in O.A. No. 752/2008, with VMA No.180/2008 & MA.No. 247/2008 on 13-03-2008. The Government have preferred an appeal in the Hon'ble High Court. The Hon'ble High Court in its interim orders in WPMP. NO. 13804/2009 in WP.No. 10746/2009 Dt: 09-06-2009 suspended the above orders Dt: 13-03-2008 of APAT in O.A.No. 752/2008.

3. Subsequently, the DPC which met in July, 2009 have approved his name for inclusion and deferred as it was done earlier vide G.O.Ms. No. 769 Rev (Ex-I) Dept,Dt: 24-07-2009 .

4. Sri P.Nageswara Rao, Assistant Commissioner of Prohibition & Excise / Depot Manager, APBCL, Samalkot, East Godavari District has again filed O.A.No. 4339/2009 in APAT. The Hon'ble APAT in its interim order dated 16.03.2009 in O.A.No.4339/2009 has directed as follows:

“... Pending disposal of the O.A., the respondents are directed to consider the case of the applicant for promotion to the post of Deputy Commissioner of Prohibition and Excise in the current vacancies, as was done in the case of Sri S.M.Rajeswara Rao who filed O.A.No.624/2009 and also Sri Narasimha Rao in O.A.No.1922/2009 against whom also disproportionate cases are pending, in the ensuing DPC”.

5. The Hon'ble APAT has passed final orders in O.A. No. 4339/2009, with VMA No. 1272/2009 &MA. No. 434/2010 Dt: 23-02-2010. which are as follows:

“In these circumstances, the O.A., and M.A., are allowed and the Respondents are directed to promote the Applicant to the category of Deputy Commissioners of Prohibition & Excise in any of the vacancies as per the

approval given by the D.P.C. in the previous panel years and also consider his case by placing his name before the present D.P.C., for 2009-2010. V.M.A. is dismissed. No Order to Costs."

6. Sri P.Nageswara Rao Assistant Commissioner of Prohibition and Excise has requested the Govt. to issue orders promoting him to the cadre of Deputy Commissioner of Prohibition & Excise by implementing the orders of Hon'ble APAT and to do justice.

7. Government have examined the request of the individual and observed that the name of the individual was included in the panel of ACPE for the year 2007-2008 fit for promotion to the category of DCPE by the DPC in its meeting held on 29-01-2008 but the Govt. have deferred the promotion. He has completed more than two years from the date of DPC meeting in which his case was considered for the first time and the departmental proceedings are still pending.

8. Government after careful consideration hereby decided that Sri P.Nageswara Rao, Assistant Commissioner of Prohibition and Excise be given adhoc promotion as Deputy Commissioner of Prohibition and Excise without prejudice to the departmental enquiry pending against him in the disciplinary case in terms of G.O.Ms.No.257, General Administration (Ser-C) Department, dated 10.6.1999.

9. Accordingly, Sri P.Nageswara Rao, Assistant Commissioner of Prohibition and Excise is hereby promoted as Deputy Commissioner of Prohibition and Excise on adhoc basis without prejudice to the departmental enquiry pending against him in the disciplinary case in terms of G.O.Ms.No.257, General Administration (Ser-C) Department, dated 10.6.1999 read with instructions issued in Circular Memo No. 15813/Ser-C/2007 Dt: 11-09-2007 .

10. On promotion, the individual is directed to report before the Govt. for posting orders.

11. The Commissioner of Prohibition & Excise, A.P., Hyderabad shall take necessary further action in the matter.

12. The above promotion is subject to the outcome of SLPs /WPs /OAs /CAs /RPs etc., pending in the Hon'ble Supreme Court/ High Court/ Tribunal as the case may be.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA,
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Prohibition & Excise, A.P., Hyderabad
The individual through CPE, A.P., Hyderabad
Copy to:
The Revenue (Vig-V) Department
The District Treasury Officer, Kakinada
The Spl.C.S to CM / P.S. to Prl.Secy.(AM)
Sf/Sc

// FORWARDED :: BY ORDER //

SECTION OFFICER